

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SONIA RUSSELL,

Plaintiff,

vs.

**POSTMASTER GENERAL LOUIS
DEJOY,**

Defendant.

8:22CV417

ORDER

Plaintiff filed a Complaint ([Filing No. 1](#)) on December 5, 2022, and requested leave to proceed in forma pauperis ([Filing No. 2](#)). On December 20, 2022, the Court denied Plaintiff's request to proceed in forma pauperis, and directed Plaintiff to pay the filing fee within 30-days of the Order. ([Filing No. 5](#)). Plaintiff paid the filing fee on February 1, 2023, and this case was removed from the court's pro se docket on February 2, 2023. ([Filing No. 6](#)).

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” [Fed. R. Civ. P. 4\(m\)](#). More than 90 days has elapsed since Plaintiff filed her Complaint, and to date, Plaintiff has not filed any return of service indicating service on the defendant, a waiver of service has not been filed, the defendant has not entered a voluntary appearance, and Plaintiff has not requested an extension of time to complete service. Although Plaintiff is proceeding pro se, she must nevertheless comply with local rules, court orders, and the Federal Rules of Civil Procedure. See [Ackra Direct Mktg. Corp. v. Fingerhut Corp.](#), 86 F.3d 852, 856 (8th Cir. 1996) (“In general, *pro se* representation does not excuse a party from complying with a court’s orders and with the Federal Rules of Civil Procedure.”); [Bennett v. Dr Pepper/Seven Up, Inc.](#), 295 F.3d 805, 808 (8th Cir. 2002) (a litigant’s “*pro se* status d[oes] not entitle him to disregard the Federal Rules of Civil Procedure[.]”). However, under the circumstances, on the Court’s own motion, Plaintiff is granted an extension of time until **May 31, 2023**, to complete service of process. Failure to complete service of process by that date may result in dismissal of this case. See Fed. R. Civ. P. 4(m). Accordingly,

IT IS ORDERED: Plaintiff is granted an extension of time until **May 31, 2023**, to complete service of process upon the defendant. The failure to timely comply with this order may result in dismissal of this case pursuant to Federal Rule of Civil Procedure 4(m) without further notice.

Dated this 10th day of April, 2023.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge